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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 07-0335 SI
14 Plaintiff,) STIPULATION AND [PROPOSED]
15 v.) ORDER EXCLUDING TIME FROM
16 MARTIN LEE SIMON,) SPEEDY TRIAL ACT CALCULATION
17 Defendant.) (18 U.S.C. § 3161(h)(8)(A))
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19 With the agreement of the parties in open court, and with the consent of defendant Martin
20 Lee Simon, the Court enters this order documenting defendant's exclusion of time under the
21 Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from July 27, 2007 through August 10, 2007, the date
22 of the defendant's next appearance before the district court. The parties agree, and the Court
23 finds and holds, as follows:

24 1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to
25 grant the requested continuance would unreasonably deny defense counsel reasonable time
26 necessary for effective preparation, taking into account the exercise of due diligence, in this case.
27 Defendant requested this time exclusion in order to allow his counsel time to review discovery
28 that has recently been provided by the government.

1 2. Given these circumstances, the Court found that the ends of justice served by
2 excluding the period from July 27, 2007 through August 10, 2007 outweigh the best interest of
3 the public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

July

4 3. Accordingly, and with the consent of the defendant at the hearing on 27, 2007, the
5 Court ordered that the period from July 27, 2007 through August 10, 2007 be excluded from
6 Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

7 IT IS SO STIPULATED.

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9 DATED: July 30, 2007

/s/ _____
JOSH COHEN
Attorney for Defendant

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11 DATED: July 30, 2007

/s/
ALLISON MARSTON DANNER
Assistant United States Attorney

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13 IT IS SO ORDERED.

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15 DATED: August 1, 2007



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